



IAP12 Rec'd PCT/PTO 08 FEB 2008

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

**David William SMYTH**

Serial No: 10/550,061

ATTN: BOX PCT

Filed : September 21, 2005

For : AEROSOL NOZZLE ADAPTOR

COMMUNICATION

Commissioner for Patents  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

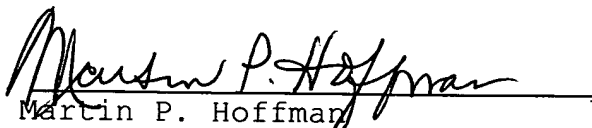
Sir:

Attorney for applicant responds to the Notification of Missing Requirements ... mailed January 31, 2008, by enclosing an executed Declaration and Power of Attorney.

Additionally, attorney for applicant encloses a check in the amount of \$65.00, to satisfy the requirement for a \$65.00 surcharge. If any additional fees fall due and owing, kindly charge same to Deposit Account No. 08-2455.

Lastly, attorney for applicant returns a copy of the Notification of Missing Requirements, to facilitate processing.

Respectfully submitted,

  
Martin P. Hoffman  
Reg. No. 22,261

02/11/2008 GFREY1 00000114 10550061

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65.00 DP

February 8, 2008

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Attorneys Docket No.: A-9728.COM/bh



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/550,061	David William Smyth	A-9728

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INTERNATIONAL APPLICATION NO.	
PCT/AU04/00367	

I.A. FILING DATE	PRIORITY DATE
03/25/2004	03/27/2003

CONFIRMATION NO. 5756  
371 FORMALITIES LETTER

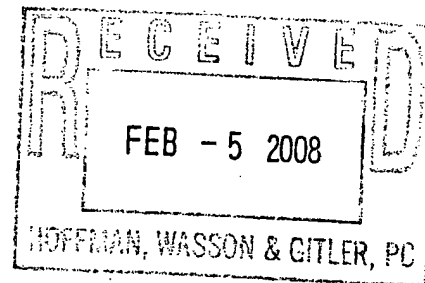


Date Mailed: 01/31/2008

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 09/21/2005
- Copy of the International Search Report filed on 09/21/2005
- Copy of Article 19 Amendments filed on 09/21/2005
- Preliminary Amendments filed on 09/21/2005
- Information Disclosure Statements filed on 09/21/2005
- Oath or Declaration filed on 09/21/2005
- U.S. Basic National Fees filed on 09/21/2005
- Priority Documents filed on 09/21/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.49 (a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

RESPONSE BY 3/31/08

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

TERRY M JOHNSON VESSELS

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